

Filed for intro on 01/31/2002  
SENATE BILL 2432 By  
Haun

HOUSE BILL 2984  
By Ford S

AN ACT to amend Tennessee Code Annotated, Section 49-2-203,  
relative to the construction of schools and construction  
management services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-203(a)(4)(C)(ii), is amended by  
deleting such subsection in its entirety and by substituting instead the following:

(ii) Construction management services which are provided for a fee and  
which involve supervision of the planning, design, bid and construction phases of  
the project, are deemed to be professional services and may be performed by a  
qualified person on the basis of recognized competence and integrity.

Construction management services are to be procured through a request for  
proposals process. The request for proposals process will invite prospective  
proposers to participate and will indicate the service requirements and the factors  
used for evaluating the proposals. Such factors shall include cost, construction  
manager's qualifications and any additional factor or factors deemed relevant by  
the procuring entity for procurement of the service; cost is not to be the sole  
criteria for evaluation. The contract for such services will be awarded to the best-

evaluated and responsive proposer. A construction manager is prohibited from undertaking actual construction work on a project over which such construction manager supervises the planning, design, bid and construction phases of the project.

SECTION 2. Tennessee Code Annotated, Section 49-2-203(a)(4)(C), is further amended by adding the following as a new subsection (iv):

(iv) Construction work which is under the supervision of a construction manager shall be procured through competitive bids as provided in this subsection.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.